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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

In re:

ALFRED JAMES CARLSON, SR.,

Debtor.

Case No. 11-40872-B-7

DCN: SMD -1

DATE: January 3, 2012

TIME: 9:32a.m.

LOCATION: 501 I Street, 6th Floor
Department B
Courtroom 32 (6th Floor)
Sacramento, CA 95814

TRUSTEE'S MOTION TO SELL PERSONAL PROPERTY OF THE ESTATE
(11 U.S.C. §363)

The undersigned, Susan M. Didriksen, the court appointed Chapter 7 Trustee (the "Trustee") in the above-captioned Bankruptcy estate of ALFRED JAMES CARLSON, SR., (the "Debtor"), hereby requests that this Court approve the sale of the Bankruptcy's Estate's interest in the following personal property:

- 2004 Ford F150, Mileage 114,000

in an "as is" condition, net of any exemptions, to the Debtor for \$1,500, payable in cashier's check over 10 monthly payments of \$150/month.

In support of this motion, the undersigned Trustee respectfully represents the following:

1. The Debtor filed a voluntary Chapter 7 Bankruptcy Petition on or about August 26, 2011, and an Order for Relief was entered thereon.

2. Susan M. Didriksen was appointed as the Interim Chapter 7 Trustee on or about August 26, 2011, and continues to serve in that capacity.

3. The Court has jurisdiction over the current motion under 28 U.S.C. §§ 157(a) and 1334. This is a core proceeding under 28 U.S.C. section 157(b)(2)(A), (N) and (O).

1 4. The Debtor filed Schedule B on or about August 26, 2011, and disclosed personal
2 property described as follows:

- 3 • “2004 Ford F150, Mileage 114,000” having a fair market value of \$9,500
4 (hereinafter referred to as the “Motor Vehicle”).

5 5. The Debtor’s Schedule “C” filed on or about August 26, 2011, claimed. C.C.P. §704.060
6 monetary exemption pertaining to the Motor Vehicle in the amount of \$6,775, and C.C.P. §704.010
7 monetary exemption pertaining to the Motor Vehicle in the amount of \$2,725.

8 6. The Debtor’s Schedule D filed on or about August 26, 2011, disclosed no indebtedness
9 nor obligations secured by the Motor Vehicle.

10 7. Debtor’s exemptions are limited to either C.C.P. §704.060 or C.C.P. §704.010 for the
11 same vehicle.

12 8. The Debtor, via his attorney, James Keegan, has presented an offer in the amount of
13 \$1,500 to purchase the aforementioned Motor Vehicle in an “as-is” condition from the Bankruptcy
14 Estate.

15 9. The payment will be made over 10 monthly payments of \$150 per month in the form of
16 cashier’s check.

17 10. The undersigned Trustee believes that the immediate liquidation of the Subject Personal
18 Property is in the best interest of the Bankruptcy Estate. This proposed sale would also alleviate the
19 typical costs incurred with the sale of vehicles (i.e. smog check and smog certificate, auctioneer’s
20 commission, repairs, etc.) and any sales commission attendant to a sale. Therefore, the Trustee
21 requests the approval from this Court to sell the aforementioned Motor Vehicle to the Debtor for the
22 amount of \$1,500, subject to any overbids tendered at the Court hearing.

23 11. At the Court hearing, the Trustee will request that the Court solicits overbids. The
24 Trustee further requests that overbids, if any, be submitted in minimum increments of \$200.00 from
25 qualified bidders who must contact the Trustee at least twenty-four hours prior to this hearing. Any
26 successful over bidder must remit the full amount of the cash selling price to the Trustee within
twenty-four hours after the Court hearing is concluded.

WHEREFORE, the undersigned Trustee respectfully requests that this Court: A.) Approve the
sale of the aforementioned Motor Vehicle to the Debtor in the manner stated herein, B.) Provide

1 authority for the Trustee to execute all documents necessary to complete the contemplated sale; and,
2 C.) Provide for such other relief as the Court deems appropriate.

3 Respectfully submitted,

4 Dated: December 3, 2011

/s/ Susan M. Didriksen
Susan M. Didriksen, Chapter 7 Trustee